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Attorney for Defendant  
**DANIEL JOE BOBIAN**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA**

UNITED STATES OF AMERICA, ) 2:20-CR-35-JAM  
v. ) Plaintiff, ) STIPULATION AND ORDER  
 ) ) TO CONTINUE STATUS  
 ) CONFERENCE, AND TO EXCLUDE  
 ) TIME  
OBDULIO JIMENEZ, )  
DANIEL JOE BOBIAN, )  
JOSE MANUEL AGUILERA BARBOSA,) Defendants. )

## STIPULATION

Plaintiff, United States of America, by and through its counsel, Assistant United States Attorney James R. Conolly, and defendant, Daniel Joe Bobian, by and through his counsel, Jennifer Mouzis, agree and stipulate to vacate the date set for status conference, March 1, 2022 at 9:30 a.m., in the above-captioned matter, and to continue the status conference to May 10, 2022 at 9:30 a.m. in the courtroom of the Honorable John A. Mendez. Defendant Jose Manuel Aguilera BARBOSA has not yet appeared in this matter, and therefore does not join in this stipulation.

1. The parties agree and stipulate, and request that the Court find the following:

1           a)     The government has produced 100 pages of discovery associated with this case,  
2 including law enforcement reports, photographs, as well as investigative reports.  
3

4           b)     Counsel for defendants will need time to consult with their clients, review  
5 discovery, investigate evidence and potential defense strategies, and otherwise prepare for trial.  
6

7           c)     Counsel for the defendants believe that failure to grant the above-requested  
8 continuance would deny them the reasonable time necessary for effective preparation, taking into  
9 account the exercise of due diligence.  
10

11           d)     The government does not object to the continuance.  
12

13           e)     Based on the above-stated findings, the ends of justice served by continuing the  
14 case as requested outweigh the interest of the public and the defendants in a trial within the  
15 original date prescribed by the Speedy Trial Act.  
16

17           f)     For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,  
18 et seq., within which trial must commence, the time period of February 25, 2022 to May 10,  
19 2022, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code  
21 T4] because it results from a continuance granted by the Court at defendant's request on the basis  
22 of the Court's finding that the ends of justice served by taking such action outweigh the best  
23 interest of the public and the defendant in a speedy trial.  
24

25       2.     Nothing in this stipulation and order shall preclude a finding that other provisions of the  
26 Speedy Trial Act dictate that additional time periods are excludable from the period within which  
27 a trial must commence.  
28

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1 Accordingly, the parties respectfully request the Court adopt this proposed stipulation.  
2  
3 IT IS SO STIPULATED.

4 Dated: February 25, 2022

PHILLIP A. TALBERT  
United States Attorney

5 By: /s/ James R. Conolly  
6 JAMES R. CONOLLY  
7 Assistant United States Attorney

8 Dated: February 25, 2022

9 /s/ Jennifer Mouzis  
JENNIFER MOUZIS  
10 Attorney for Defendant  
11 DANIEL JOE BOBIAN

## ORDER

IT IS HEREBY ORDERED, the Court having received, read, and considered the parties' stipulation, and good cause appearing therefrom, adopts the parties' stipulation in its entirety as its order. The Court specifically finds the failure to grant a continuance in this case would deny counsel reasonable time necessary for effective preparation, considering the exercise of due diligence. The Court finds the ends of justice are served by granting the requested continuance and outweigh the best interest of the public and defendants in a speedy trial.

The Court orders from the time of the parties' stipulation, February 25, 2022, up to and including May 10, 2022, shall be excluded from computation of time within which the trial of this case must be commenced under the Speedy Trial Act, pursuant to 18 U.S.C. § 3161(h)(7)(A) and (B)(iv) [reasonable time for counsel to prepare] and General Order 479 [Local Code T4]. **It is further ordered** the March 1, 2022 status conference shall be continued until May 10, 2022, at 9:30 a.m.

DATED: February 25, 2022

/s/ John A. Mendez

THE HONORABLE JOHN A. MENDEZ  
UNITED STATES DISTRICT COURT JUDGE